

Mail check and application to:  
Wisconsin Dept. of Agriculture, Trade and Consumer Protection  
Producer Security Section  
PO Box 93479  
Milwaukee WI 53293-0479

Ch. 126, Subchapter IV, Wis. Stats.

Email: \_\_\_\_\_

[illegible]

Page 1

## VEGETABLE CONTRACTOR BUSINESS LOCATION INFORMATION

### PRIMARY LOCATION:

Address: Street                      City                      State   Zip Code   County                      Contact Person                      Telephone #                      Email Address

### ADDITIONAL LOCATIONS

**Attach additional list if necessary.**

### Section A – License Fee Computation:

\*Currently recognized producer agents in Wisconsin are: Heartland Agricultural Marketing, Inc. and Heartland Farms, Inc.\*

1.	What were your total contract obligations (paid and unpaid) for vegetables, grown in Wisconsin from producers and producer agents*, that became payable during the license holder's most recently completed fiscal year: <b>(estimate if no prior purchases)</b>	\$
2.	Were all of the contract obligations reported on line 1 made under written contracts where payments were required no more than 30 days after taking custody or control of the vegetables	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.	Under a contract with the department, did the department grade all of the graded vegetables you procured from vegetable producers or producer agents*?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.	Non-refundable license processing fee (not subject to fee credit deduction):	\$ 25.00
5.	License Fee	\$ 25.00
6.	Enter the amount entered on line 1: _____ times .000875 <b>enter the amount here→</b>	\$
7.	If question 3 is yes, enter the amount entered on line 1: _____ times .0001 as a credit. <b>enter the amount here→</b>	\$ (       )
8.	If the renewal application is not received prior to the license expiration date of January 31, the credit is zero. Pro-rated credit is determined by the department based on total fees paid by license holder under section 126.56(6), Wis. Stats. for the preceding 4 years.	
9.	Are potatoes the only vegetable you purchase from Wisconsin growers? <input type="checkbox"/> Yes <input type="checkbox"/> No If you answered "Yes": Do you elect not to participate in the Producer Security Fund? <input type="checkbox"/> Yes <input type="checkbox"/> No If electing not to participate in the fund, include Certification form with this application, as required by s. 126.595(1) Wis. Stats. If you answered "Yes" to both questions, and elect not to participate in the Fund, <b>enter the lesser of \$2,025.00 or the total of lines 4 thru 6.</b> <b>enter the amount here →</b> <b>(This option is not available if RENEWAL application is filed after January 31<sup>st</sup>.)</b>	\$
10.	Surcharge of \$500.00 if operating as a vegetable contractor without a license within 365 days before submitting application, s. ATCP 101.23(4), Wis. Admin. Code	\$
11.	License surcharge of \$100 for failure to RENEW license by license expiration date of January 31.	\$
12.	Surcharge of \$100 if a required financial statement was filed late and surcharge has not been paid.	\$
13.	Total License Fee (Add lines 4 thru 8 and 10 thru 12 <b>OR</b> if answers to 9 are Yes and Yes, then add lines 9 thru 12.) <b>A minimum of \$25.00 must be entered here.</b>	\$

**Section B - License Information**

14.	What was the largest amount owed to vegetable producers and producer agents* at any one time during the applicant's last completed fiscal year?	\$
15.	What is the amount of unpaid contract obligations at the time of application?	\$
a	The amount of unpaid obligations due prior to January 31?	\$
b	The amount of unpaid obligations that are under deferred payment contracts? (Due after January 31) [s. 126.55(8), Wis. Stats. and s. 126.63(4) and (5), Wis. Stats.]	\$
16.	Will you pay cash on delivery under all vegetable contracts during the license year for which you are applying? (Payment on delivery means cash payment of the full agreed price for vegetables when the vegetable is tendered or delivered to a contractor, or cash payment of the full agreed price within 72 hours if the vegetable is graded.) ["Cash Payment" defined in s. 126.55(2), Wis. Stats.]	<input type="checkbox"/> Yes <input type="checkbox"/> No
17.	Do you have fire and extended coverage insurance that covers, at its full market value, all vegetables in your possession, custody, and control as required by s. 126.57, Wis. Stats.	<input type="checkbox"/> Yes <input type="checkbox"/> No
18.	List species of vegetables to be purchased or contracted for from Wisconsin growers:	
19.	Will you and your affiliates or subsidiaries collectively grow more than 10% of the acreage of any vegetable species grown or procured during the registration year for which application is made? If yes, which species? _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
20.	Are you a producer-owned cooperative or organization doing business on a cooperative pooling basis with its producer-owners? If you answered "Yes", do you plan to procure any vegetables from producers who are not producer-owners?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
21.	Are you a producer agent?	<input type="checkbox"/> Yes <input type="checkbox"/> No
22.	List Applicant's fiscal year-end date: _____ (month and day)	

**Section C – Vegetable Contractor Default Claim Waiver**

23.	Has the license applicant attached to the application or already filed with WDACP Agricultural Producer Security Section, a Vegetable Contractor Default Claim Waiver (Waiver) filed by a producer/producer agent who has greater than 50% ownership in the producer/producer agent and a greater than 50% ownership in the license applicant? If yes, please complete questions 23 through 28. If previously filed, then provide a copy of the Waiver.	<input type="checkbox"/> Yes <input type="checkbox"/> No
24.	Date that vegetable producer or producer agent filed a written waiver under s. 126.70(1) (c), Wis. Stats.	
25.	Has there been any change in ownership percentages from the waiver filed with WDACP? If yes, provide a listing of ownership percentages in producer/producer agent and license holder.	<input type="checkbox"/> Yes <input type="checkbox"/> No
26.	Enter total contract obligations (from Section A, question 1)	\$
27.	Enter the amount included in line 26 that was procured from a producer/producer agent that has filed a waiver.	\$
28.	Subtract line 27 from line 26. (This amount will be used for determining Assessments and type of Financial Statement to be filed.)	\$

License holder agrees to indemnify the Wisconsin Agricultural Producer Security Fund (hereafter "Fund") for any and all money paid out of the Fund under s. 126.71, Wis. Stats., as a result of a recovery proceeding under subchapter VII of chapter 126, Wis. Stats., conducted against license holder because of license holder's default. License holder also agrees to indemnify any surety for any and all money a surety pays into the Fund as a result of license holder's default and a recovery proceeding under subchapter VII of chapter 126, Wis. Stats.

**\*\*\* If any lines in the following section are left blank, this application is invalid. \*\*\***

The applicant has authorized the undersigned person to execute this application. All statements contained in this application are true, complete and accurate. The undersigned authorized person fully understands that if any statement contained in this certification is not true, complete, or accurate or is false or misleading, the applicant and the authorized person signing this application may be in violation of s. 126.63, Wis. Stat. and subject to the provisions of Subchapter VIII of Chapter 126, Wis. Stat. The person signing the application must be listed as an officer for this application.

Signature:

Type or Print – First Name and Last Name:

Position/Title:

**If you have any questions regarding this application, contact Scott Manthey at (608) 224-4966.**

## **Wisconsin Statute Chapter 126, Subchapter VI – Vegetable Contractors**

### **Vegetable Contractor License Fees and Surcharges ATCP 101.23 Wisconsin Administrative Code**

#### **S.ATCP 101.23 Wis.Admin. Code, Vegetable Contractor license fees.**

A person or business entity applying for an annual vegetable contractor license under s. 126.56, Wis. Stats., shall pay all of the following license fees and surcharges, rather than license fees and surcharges provided in s. 126.56(4), Wis. Stats.:

1. A nonrefundable license processing fee of \$25.
2. A fee of \$25 plus 8.75 cents for each \$100 in contract obligations reported under s. 126.56(9)(a), Wis. Stats., less any fee credits for which the vegetable contractor qualifies under s. 126.56(6), Wis. Stats. This subsection does not apply to a processing potato buyer that has elected under s. 126.595(1), Wis. Stats., not to participate in the fund.
3. For a processing potato buyer that has elected under s. 126.595(1), Wis. Stats., not to participate in the fund, a fee equal to the lesser of the following amounts:
  - a. \$25 plus 8.75 cents for each \$100 in contract obligations reported under s. 126.56(9)(a), Wis. Stats.
  - b. \$2,000
4. A surcharge of \$500 if, within 365 days before submitting the license application, the applicant operated as a vegetable contractor without a license in violation of s. 126.56(1), Wis. Stats. The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for the license year in which the applicant violated s. 126.56(1), Wis. Stats.
5. A surcharge of \$100 if, within 365 days before submitting the license application, the applicant failed to file an annual financial statement required under s. 126.58(1)(b), Wis. Stats., by the applicable deadline.
6. A surcharge of \$100 if a renewal applicant fails to renew a license by the license expiration date of January 31.

#### **Vegetable Contractors; DEFERRED CONTRACTS**

Under s. 126.55, Wis. Stats., “Deferred payment contract” means a vegetable procurement contract in which the vegetable producer or a producer agent agrees to accept payment after January 31 for processing vegetables harvested during the previous calendar year.

Before a vegetable contractor offers a deferred payment contract the vegetable contractor shall put the deferred payment contract to a vote of vegetable producers as provided in s. 126.63(5), Wis. Stats.

You may visit the following websites to see the applicable statutes & rules:

Chapter 126, Wis. Stats. - <http://www.legis.wisconsin.gov/statutes/statutes/126.pdf>

Chapter ATCP 101, Wis. Admin. Code - <http://www.legis.wisconsin.gov/rsb/code/atcp/atcp101.pdf>

Producer Security Fund under Dept. of Agriculture, Trade and Consumer Protection –  
[http://datcp.wisconsin.gov/Business/Agricultural\\_Producer\\_Security/index.aspx](http://datcp.wisconsin.gov/Business/Agricultural_Producer_Security/index.aspx)

If the entity is a sole proprietor or individual, we are required to collect your social security number. We will call you if this is the case.